

### **REMARKS/ARGUMENTS**

Claims 1-52 are pending and at issue in the present application.

As a preliminary matter, the undersigned points out that the pending Office action did not address claim 39 as being either allowed, rejected, objected to, or withdrawn. The remarks presented herein regarding claim 36, however, are equally applicable to claim 39.

Claim 7 has been amended to remove the typographical error on line 2 by replacing the word "pre-determin3ed" with the word -- predetermined --. This amendment does not add new matter or otherwise change the scope of claim 7 as originally filed.

Applicants respectfully traverse the rejections of claims 46 and 47 as indefinite. Each of claims 46-49 has been amended to replace the word "the" occurring before the word dimension with the word -- a --. This amendment properly introduces the element "a dimension of the wick" for the first time in each of these claims. This amendment does not add new matter or otherwise alter the scope of claims 46-49 as originally filed.

Applicants respectfully traverse the rejections of claims 1, 13-20, 31-33, 36-38, and 50-52 as anticipated by either Andersen (U.S. 1,911,871) or Hartmann (U.S. 2,828,953).

Claim 1, as amended, and claims 2-13 and 15-35 dependent directly or indirectly thereon, recite a dispenser for volatile liquid including a housing and a fan mounted to the housing to generate an air stream. A guide including a projection disposed on an inside surface of the housing provides at least one boundary in defining an opening. The opening has a predetermined dimension to selectively receive a wick and to position the wick in alignment with the fan to immerse the wick into an air stream when the fan is activated.

Claim 14 has been rewritten in the independent form including all the limitations of the base claim and intermediate claims. Claim 14 recites a dispenser for a volatile liquid including a housing, a fan mounted to the housing to generate an air stream, and a guide associated with the housing provides at least one boundary in defining an opening. The opening has a predetermined dimension to selectively receive a wick and to position the wick in alignment with the fan to immerse the wick into an air stream when the fan is activated. The guide is integral with the housing and includes opposing sidewalls defining another opening of the housing.

Claim 36, as amended, and claims 37-52 dependent directly or indirectly thereon, recite a method for assembling a dispenser for a volatile liquid including the steps of providing a fan mounted to a housing and providing a guide associated with the housing. The guide includes a projection disposed on an inside surface of the housing that at least partly defines an opening having a predetermined dimension to selectively receive a wick and align the wick to be immersed in an air stream when the fan is activated.

The prior art does not disclose or suggest a dispenser for a volatile liquid as recited in claims 1-13 and 15-35, or a method of assembling a dispenser for a volatile liquid as recited in claims 36-52 wherein a guide for positioning or aligning a wick in an air stream generated by a fan mounted to a housing includes a projection disposed on an inside surface of the housing and at least partly defines an opening to selectively receive the wick.

Further, the prior art does not disclose or suggest a dispenser for a volatile liquid as recited in claim 14 including a guide associated with a housing that provides at least one boundary in defining an opening to selectively receive a wick, and wherein the guide comprises opposing sidewalls defining another opening of the housing.

Rather, Andersen discloses a fumigator made of a fan mounted within a housing and a delivery system for supplying a fumigating compound into an air stream created by the fan. The delivery system includes a bottle for holding a liquid fumigating compound and a wick for transferring the fumigating compound from the bottle to the air stream. The bottle has a neck that is screwed into a flange disposed on an outer side of the housing around an aperture through the housing. An elongate curved tube extends from within the container, through the aperture, to an inner housing containing an absorbent material therein. The wick extends from inside the bottle, through the tube, to a position inside the inner housing in order to deliver liquid from the bottle to the absorbent material contained within the inner housing. A baffle is positioned between the fan and the inner housing to deflect the air current toward the wall of the housing around the inner housing.

Hartmann discloses an odorant dispenser having an outer housing, a fan located inside the housing, a cup-shaped liquid receptacle disposed inside the housing below the fan, a wick extending from the liquid receptacle to a position offset from a rotational axis of the fan, and an

annular member for retaining the wick in an upright position within the liquid receptacle. The annular member has spiral arms projecting outwardly therefrom to engage an inner frusto-conical surface of the liquid container. The wick extends through the annular member and is maintained in a centered upright position within the container by the annular member.

Because no single item of prior art discloses every recitation of the claims at issue, such claims cannot be anticipated thereby. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987)).

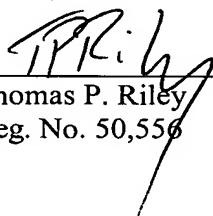
Further, because the prior art does not disclose a suggestion of an incentive to make the claimed combination, it follows that the claims at issue are not obvious thereover. To establish a *prima facie* case of obviousness there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. MPEP § 2143.

For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims at issue and allowance thereof are respectfully requested.

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